

(1977), article 17; available from <http://www.laws.gov.bw/Docs/Principal/Volume3/Chapter21/Chpt21-05%20Botswana%20Defence%20Force.pdf>.

⁴⁵⁰ U.S. Embassy- Gaborone, *reporting, November 29, 2007*, para 4. See also U.S. Department of State, "Country Reports- 2007: Botswana," section 6d. See also Government of Botswana, *Employment Act*, article 113.

⁴⁵¹ U.S. Department of State, "Country Reports- 2007: Botswana," section 6d.

⁴⁵² Ibid. See also U.S. Embassy- Gaborone, *reporting, November 29, 2007*, para 4.

⁴⁵³ U.S. Department of State, "Country Reports- 2007: Botswana," section 6d.

⁴⁵⁴ Ibid. See also U.S. Embassy- Gaborone, *reporting,*

February 26, 2008.

⁴⁵⁵ ILO-IPEC, *Supporting the Timebound Programme to Eliminate the Worst Forms of Child Labour in South Africa's Child Labour Action Programme and Laying the Basis for Concerted Action Against Worst Forms of Child Labour in Botswana, Lesotho, Namibia and Swaziland*, project document, Geneva, September, 2003.

⁴⁵⁶ American Institutes for Research, *Reducing Exploitive Child Labor Southern Africa (RECLISA)*, project document, Washington, DC, September 8, 2005, 17-18.

⁴⁵⁷ Ibid., 19.

⁴⁵⁸ U.S. Embassy- Gaborone, *reporting, November 29, 2007*, para 13. See also Government of Botswana, *Preliminary 2005/2006 Labour Force Survey Results.*

Brazil

Selected Statistics and Indicators on Child Labor⁴⁵⁹

Working children, 5-14 years (%), 2004:	5.2
Working boys, 5-14 years (%), 2004:	7
Working girls, 5-14 years (%), 2004:	3.3
Working children by sector, 5-14 years (%), 2004:	
- Agriculture	57.8
- Manufacturing	7.2
- Services	33.7
- Other	1.4
Minimum age for admission to work:	16
Age to which education is compulsory:	14
Free public education:	Yes
Gross primary enrollment rate (%), 2004:	140
Net primary enrollment rate (%), 2004:	95
School attendance, children 5-14 years (%), 2004:	93.9
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	Yes

Incidence and Nature of Child Labor

The rate of child work is higher in northeastern Brazil than in any other region, and it is equally common in rural and urban areas throughout the

country.⁴⁶⁰ More minors of African descent are working than of any other race or ethnicity.⁴⁶¹ Ninety percent of working children work in the informal sector. From that population, 20 percent of the 10 to 14 year old girls perform third-party domestic work for which they are paid half the minimum wage for more than 40 hours per week.⁴⁶² Children work in approximately 116 activities, including mining, fishing, raising livestock, producing charcoal and footwear, and harvesting corn, manioc, sugarcane, sisal, and other crops in rural areas. In urban areas, common activities for working children include shining shoes, street peddling, begging, and working in restaurants, construction, and transportation.⁴⁶³ In the Amazon region, children are victims of CSEC in mining settlement brothels.

Children work with their parents in forced labor activities such as charcoal production. Girls are trafficked overseas for commercial sexual exploitation, using fake personal identification documents. Boys are trafficked internally as slave laborers.⁴⁶⁴ Child sex tourism is a serious problem in 26 percent of the tourist destinations in the northern coast of Brazil, with children being sexually exploited by foreign pedophiles mostly from Europe and North America.⁴⁶⁵ Child sex tourism often involves a ring of travel agents, hotel workers, taxi drivers, and traffickers.⁴⁶⁶

Child Labor Laws and Enforcement

The minimum age for general employment in Brazil is 16 years. However, the law establishes that younger children can work in family workshops under parent or guardian supervision and under certain conditions, without specifying a minimum age. The minimum age for apprenticeships is 14 years.⁴⁶⁷ Minors who work as apprentices are required to attend school through the primary grades and to provide proof of parental permission to work.⁴⁶⁸ The law prohibits employees under 18 years from working in unhealthy, dangerous, painful, or arduous conditions; at night; or in settings where their physical, moral, or social well-being is adversely affected.⁴⁶⁹

The law establishes that introducing a child of 14 to 18 years to prostitution is punishable by imprisonment of 3 to 8 years, and in cases of violence or fraud, 4 to 10 years. Running a brothel is punishable by 2 to 5 years of imprisonment and fines.⁴⁷⁰ The law also provides for fines and prison terms of 4 to 10 years for anyone convicted of trafficking children 14 to 18 years internally or across national borders for prostitution, with penalties of 5 to 12 years in cases of violence or fraud.⁴⁷¹ The law does not address forced labor directly, but establishes imprisonment from 2 to 8 years and a fine for subjecting a person to slave-like conditions, with penalties increasing by one-half if the crime is committed against a child. Transporting workers by force from one locale to another within the national territory is punishable by imprisonment for 1 to 3 years and fines; penalties increase by one-sixth to one-third if the victim is under 18 years.⁴⁷² The minimum age for conscription into military service is 18 years.⁴⁷³

The Ministry of Labor and Employment (MTE) is responsible for inspecting work sites for child labor violations, while its regional offices gather data from the inspections to develop plans to combat child labor. Most inspections result from complaints to labor inspectors by workers, NGOs, teachers, the media, and other sources. While inspections mostly take place in the informal sector, most children work in farms and private homes. The MTE found 7,812 children working during inspections in 2007, which is more than double the amount from the previous year.⁴⁷⁴

Government authorities involved in combating trafficking include the Ministry of Social Development and Combating Hunger (MDS), the Special Human Rights Secretariat, the MTE, the Ministry of Justice, and the Ministry of Tourism.⁴⁷⁵ The Federal Police monitor sex traffickers through the internet, and launched operations to combat trafficking which resulted in 38 arrests for international trafficking and one for internal trafficking during the period from April 2006 to March 2007.⁴⁷⁶ A "code of conduct to combat sex tourism and sexual exploitation" is being implemented by local governments from the States of Pernambuco, Espirito Santo, Amazonas, Parana, Rio de Janeiro, Bahia, and the Federal District. Under this code, businesses are required to display public warnings of the criminal punishments for sexually exploiting children.⁴⁷⁷ The Highway Federal Police reported a drop in the number of places considered hot spots for commercial sexual exploitation of children, along the highways of nine states across Brazil.⁴⁷⁸

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Brazilian Government's efforts are coordinated around seven actions: supporting institutions and activities related to child labor eradication, providing scholarships to working children and adolescents, providing social services to working children and adolescents, conducting child labor focused inspections, conducting public awareness campaigns, updating the Map of Areas with Child Labor, and providing technical assistance to the School of the Future Worker Program.⁴⁷⁹

A Subcommittee of Brazil's National Commission to Eradicate Child Labor (CONAETI), composed of members from the Federal Government, worker and employer organizations, and civil society,⁴⁸⁰ is currently revising the country's list of the worst forms of child labor, as stipulated by ILO Convention No. 182 on the Worst Forms of Child Labor.⁴⁸¹ The MTE implements the School of the Future Worker Program that benefits more than 70,000 children who learn about occupational safety and health and worker's rights in more than 547 schools.⁴⁸² The MTE periodically publishes the Map of Areas with Child Labor. With the support of the ILO, MTE is currently designing a new

format and methodology for the map that will expedite the collection and consolidation of data.⁴⁸³

The national program to remove children from working in the most hazardous forms of child labor is the Program to Eradicate Child Labor (PETI), administered by the MDS in conjunction with State and local authorities. Through PETI, families with children working in selected hazardous activities receive stipends to remove their children from work and maintain them in school. In addition, PETI offers an after-school program to prevent children from working during non-school hours, which provides tutoring, nutritional snacks, sports, art, and cultural activities. Children between 7 and 15 years are eligible to participate.⁴⁸⁴ While PETI focuses on removing children from hazardous work, the Family Grant (*Bolsa Família*) program aims to prevent child labor and promote education by supplementing family income and encouraging at-risk children and adolescents to attend school regularly.⁴⁸⁵ The Government recently integrated PETI into the more comprehensive Family Stipend Program in order to simplify the cash transfer process, include pre-school age children, and in general, expand the PETI benefits to a higher number of families in need.⁴⁸⁶

The Government of Brazil, in coordination with ILO-IPEC, is implementing a USDOL-funded USD 6.5 million Timebound Program to eliminate the worst forms of child labor in domestic service, prostitution, hazardous work in agriculture, and other informal sector activities. The project aims to withdraw 4,026 children from exploitive labor and prevent an additional 1,974 from becoming involved in such activities.⁴⁸⁷ Another USDOL-funded USD 5 million program, implemented by Partners of the Americas in coordination with the Government of Brazil, ended in 2007. The program worked to eliminate the worst forms of child labor in both illicit drug cultivation and the commercial sexual exploitation of children, by providing basic quality education in areas of northeastern Brazil. The project targeted 10,000 children for withdrawal and prevention from exploitive labor.⁴⁸⁸ USAID provides more than USD 3.5 million to fund efforts to combat trafficking of persons including children, for the purpose of commercial sexual exploitation.⁴⁸⁹

The Government of Brazil and the other governments of MERCOSUL (the Brazilian acronym for the “Common Market of the South”) are conducting the “Niño Sur” (“Southern Child”) initiative to defend the rights of children and adolescents in the region.⁴⁹⁰ The initiative includes unified public campaigns against commercial sexual exploitation, trafficking and child labor; mutual technical assistance in adjusting the legal framework to international standards on those issues; and the exchange of best practices related to victim protection and assistance.⁴⁹¹

One of the main Government programs to assist child victims of commercial sexual exploitation is the Social Assistance Specialized Reference Centers Program (CREAS). These municipal Reference Centers provide psychological assistance and insertion into social benefits programs for children and their families. CREAS centers have been established in 1,300 municipalities.⁴⁹² The Secretariat of Human Rights established a telephone hotline in every State to report sexual exploitation.⁴⁹³ The Government operates a national trafficking database designed to document and analyze trafficking-related statistics more effectively.⁴⁹⁴

The Ministry of Justice continued the second phase of a program managed by the UNODC that will design the National Plan to Combat Trafficking in Persons, raise awareness on the issue, and expand the country’s database on trafficking victims and perpetrators. UNODC aims to expand project implementation to all Brazilian States, and it has established centers in the principal national airports with personnel trained to receive possible trafficking victims.⁴⁹⁵

The Government of Brazil is funding a USD 200,000 ILO-IPEC initiative to combat the Worst Forms of Child Labor in Lusophone countries in Africa, including Angola, Cape Verde, and Mozambique.⁴⁹⁶

⁴⁵⁹ For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Ministry of Labor and Employment, *National Plan - Prevention and Eradication of Child Labor and Protection of*

Adolescent Workers, 2004; available from http://www.mte.gov.br/trab_infantil/plan_prevencao_erradicacao.asp. See also Presidência da República, *Lei N. 11.274, de 6 de Fevereiro de 2006, Article 32*, [online] [cited November 30, 2007]; available from https://www.planalto.gov.br/ccivil_03/_Ato2004-2006/2006/Lei/L11274.htm.

⁴⁶⁰ Ministry of Labor and Employment, *Mapa de Indicativos do Trabalho da Criança e do Adolescente*, [online], December 4, 2007; available from http://www.mte.gov.br/trab_infantil/pub_7746.pdf.

⁴⁶¹ Ibid.

⁴⁶² U.S. Department of State, "Brazil," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100630.htm>.

⁴⁶³ Ibid. See also U.S. Department of State, "Brazil," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78882.htm>. See also CONAETI, *Lista Tip*, Brasília, October 2, 2006.

⁴⁶⁴ U.S. Department of State, "Country Reports- 2007: Brazil," section 5.

⁴⁶⁵ U.S. Department of State, "Brazil (Tier 2)," in *Trafficking in Persons Report- 2007: Brazil*, Washington, DC, June 5, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>.

⁴⁶⁶ U.S. Department of State, "Country Reports- 2007: Brazil," section 5.

⁴⁶⁷ ILO Committee of Experts, *Direct Request, Minimum Age, 1973, (No. 138) Brazil (ratification: 2001)*, [online], 2005; available from <http://www.ilo.org/ilolex/english/newcountryframeE.htm>.

⁴⁶⁸ U.S. Department of State, "Country Reports- 2007: Brazil," section 6d.

⁴⁶⁹ Ministry of Labor and Employment, *National Plan*.

⁴⁷⁰ Government of Brazil, *Código Penal Brasil*, Lei No. 2,848, modified by Lei No. 9,777 of 1998, articles 227-229; available from http://www.oas.org/juridico/mla/pt/bra/pt_bra-int-text-cp.pdf.

⁴⁷¹ UNODC, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime*, [online] November 6, 2007 [cited March 15, 2008], article 231; available from <http://www.unodc.org/unodc/en/treaties/CTOC/countrylist-traffickingprotocol.html>.

⁴⁷² Presidência da República, *Decreto-Lei n° 2.848 de*

07.12.1940 alterado pela Lei n° 9.777 em 26/12/98, [cited December 4, 2007, articles 149,207; available from <http://www.planalto.gov.br/CCIVIL/Decreto-Lei/Del2848.htm>.

⁴⁷³ Ministério da Defesa, *Serviço Militar*, [online] [cited December 4, 2007]; available from https://www.defesa.gov.br/servico_militar/index.php?page=historico_servico_militar.

⁴⁷⁴ U.S. Department of State, "Country Reports- 2007: Brazil," section 6d.

⁴⁷⁵ Ibid., section 5.

⁴⁷⁶ Ibid. See also U.S. Department of State, "Brazil (Tier 2)," in *Trafficking in Persons Report- 2007: Brazil*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>.

⁴⁷⁷ U.S. Department of State, "Trafficking in Persons Report- 2007: Brazil."

⁴⁷⁸ Ministry of Justice, *Exploração sexual de menores diminui nas rodovias do país*, 2007; available from <http://www.mj.gov.br/data/Pages/MJ27337B92ITEMID6E5944945A1C48909075E85AA344F4FDPTBRIE.htm>.

⁴⁷⁹ Government of Brazil, *Written communication*, submitted in response to U.S. Department of Labor Federal Register Notice (December 5, 2006) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor", Washington, DC, December 17, 2007.

⁴⁸⁰ Ministry of Labor and Employment, *Órgãos e Entidades que compõem a CONAETI*, [online] [cited December 10, 2007]; available from http://www.mte.gov.br/trab_infantil/composicao.asp#.

⁴⁸¹ Government of Brazil, *Request for Information*.

⁴⁸² Ministério Público de União, *Estado pode ter direitos trabalhistas e saúde do trabalhador como matéria de Ensino Fundamental*, [online] 2005 [cited February 28, 2008]; available from http://www.prt12.mpt.gov.br/prt/noticias/2005_10/2005_10_10.php. See also Sentidos, *Escola do Futuro*, [online] 2002 [cited February 28, 2008]; available from <http://sentidos.uol.com.br/canais/imprimir.asp?codpag=1966&canal=educacao>.

⁴⁸³ Government of Brazil, *Request for Information*.

⁴⁸⁴ Ministry of Social Development and Combating Hunger, *Programa de Erradicação do Trabalho Infantil - PETI*; available from http://www.portaltransparencia.gov.br/curso_PETI.pdf.

⁴⁸⁵ U.S. Department of State, "Country Reports- 2007: Brazil," section 6d.

⁴⁸⁶ ILO-IPEC, *Avaliação da integração do programa de erradicação do trabalho infantil (PETI) ao programa bolsa-família (PBF)*, 2007.

⁴⁸⁷ USDOL, *ILAB Technical Cooperation Project Summary: Eliminating the Worst Forms of Child Labor in Brazil-Support for the Time-bound Program on the Elimination of*

the Worst Forms of Child Labor, project summary.

⁴⁸⁸ USDOL, *ILAB Technical Cooperation Project Summary: EDUCAR-Combating the Worst Forms of Child Labor through Education in Brazil*, project summary.

⁴⁸⁹ ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

⁴⁹⁰ Presidência da República, *Países do Mercosul anunciam campanha de Combate à Exploração Sexual de Crianças* [online] [cited December 5, 2007]; available from http://www.presidencia.gov.br/noticias/ultimas_noticias/expoloracrianca2/.

⁴⁹¹ Ministry of Justice and Human Rights of Argentina, *Iniciativa Niñ@ Sur*, [online] [cited December 5, 2007]; available from <http://www.derhuman.jus.gov.ar/direcciones/asistencia.htm#>.

⁴⁹² Presidência da República, *Países do Mercosul anunciam campanha de Combate à Exploração Sexual de Crianças* See

also Agência Estadual de Notícias, *Encontro discute sensibilização dos Centros de Referência de Assistência Social* Press Release, Curitiba, December 7, 2007 2006; available from <http://www.agenciadenoticias.pr.gov.br/modules/news/article.php?storyid=21899>.

⁴⁹³ U.S. Department of State, "Country Reports- 2007: Brazil," section 6d.

⁴⁹⁴ U.S. Department of State, *Trafficking in Persons Interim Assessment: Brazil*, online, January 19 2007; available from <http://www.state.gov/g/tip/rls/rpt/78948.htm>.

⁴⁹⁵ UNODC, *Programa de Combate ao Tráfico de Seres Humanos*, [online] [cited December 7, 2007]; available from http://www.unodc.org/brazil/programasglobais_tsh.html?print=yes.

⁴⁹⁶ ILO-IPEC Geneva official, E-mail communication, December 12, 2007.

Burkina Faso

Incidence and Nature of Child Labor

The majority of economically active children in Burkina Faso are found in the agricultural sector, usually working on family farms, and in some cases as paid laborers.⁴⁹⁷ Work on farms, especially cotton farms, can involve exposure to harmful pesticides.⁴⁹⁸ Children work in hazardous conditions in the mining sector, especially gold mines.⁴⁹⁹ Children also work as domestic servants.⁵⁰⁰ The practice of sending boys to Koranic teachers to receive education is a tradition in various countries, including Burkina Faso.⁵⁰¹ While some boys receive lessons, others are forced by their teachers to beg and surrender the money that they have earned or to work in fields.⁵⁰²

Burkina Faso is a destination, transit and source country for children trafficked for the purpose of forced labor and commercial sexual exploitation.⁵⁰³

Children are trafficked to work in domestic service, agriculture, prostitution, mining, and work in quarries. Burkina Faso is also a destination country for children trafficked from Nigeria and Mali. Children from Burkina Faso are trafficked into Benin, Côte d'Ivoire, Ghana, Mali, Niger, Nigeria, and Togo.⁵⁰⁴ Children from West and Northwest

Burkina Faso, especially from the Dogon, Samo and Dafing ethnic groups, have a higher risk of being trafficked.⁵⁰⁵

Child Labor Laws and Enforcement

The law sets the minimum age for employment at 15 years. Children under 18 years are prohibited from working at night. However, in an instance of *force majeure*, children aged 16 or older are permitted to do so.⁵⁰⁶ A decree lists the types of work and enterprises in which children under 18 years are forbidden to work in such as work in slaughterhouses or with explosives.⁵⁰⁷ Under the law, children and adolescents under 20 years may not undertake work that could harm their reproductive abilities.⁵⁰⁸ Violations of minimum age laws are subject to imprisonment of up to 5 years.⁵⁰⁹

The law defines and prohibits the worst forms of child labor for children following ILO Convention 182. Slavery and slavery-like practices, inhumane and cruel treatment, and physical or emotional abuse of children are forbidden by the Constitution.⁵¹⁰ The law also prohibits forced and compulsory labor.⁵¹¹ Violations of forced labor laws